

JOSEPH P. RUSSONIELLO (ASBN.44332)  
United States Attorney  
THOMAS MOORE (ASBN 4305-O78T)  
Assistant United States Attorney  
10th Floor Federal Building  
450 Golden Gate Avenue, Box 36055  
San Francisco, California 94102  
Telephone: (415) 436-7017

**IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

<b>UNITED STATES OF AMERICA and</b>	)	<b>Case No. C-07-5844-EDL</b>
<b>MARK CLAYBROOKS, Revenue</b>	)	
<b>Officer,</b>	)	
<b>Petitioners,</b>	)	
<b>v.</b>	)	<b>STIPULATION TO DISMISS</b>
	)	<b><u>AND [proposed] ORDER</u></b>
<b>MICHAEL FAGAN,</b>	)	
<b>Respondent.</b>	)	

It is hereby stipulated between petitioners, United States of America and Mark Claybrooks, and respondent Michael fagan, through the undersigned counsel, as follows:

1. In accordance with the provisions of 18 U.S.C. Section 636(c), the parties consent to have a United States Magistrate Judge conduct any and all further proceedings in this case, including trial, and entry of a final judgment, and voluntarily waive the right to proceed before a United States District Judge.

2. That this matter be dismissed, each party to bear their own costs and attorneys' fees.

**PURSUANT TO STIPULATION, IT IS SO ORDERED.**

JOSEPH P. RUSSONIELLO  
United States Attorney

/s/ Allan Miles  
ALLAN MILES  
Attorney for Michael Fagan

/s/ Thomas Moore  
THOMAS MOORE  
Assistant United States Attorney  
Attorneys for Plaintiff

**PURSUANT TO STIPULATION, IT IS SO ORDERED.**

Dated: \_\_\_\_\_

\_\_\_\_\_  
UNITED STATES MAGISTRATE JUDGE